

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Case No. 1:23-cv-11085-RGS

PREPARED FOOD PHOTOS, INC. f/k/a
ADLIFE MARKETING &
COMMUNICATIONS CO., INC.,

Plaintiff,

v.

WENEEDAVACATION.COM, LLC,

Defendant.

PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT

Plaintiff Prepared Food Photos, Inc. f/k/a Adlife Marketing & Communications Co., Inc. (“Plaintiff”) hereby moves for entry of partial summary judgment against defendant WeNeedAVacation.com, LLC (“Defendant”), and states as follows:

INTRODUCTION

This is a straightforward case of copyright infringement. Plaintiff is the creator and registered copyright owner of a photograph titled “Clambake007.” Plaintiff licenses the Work as part of a library of professional food photography (consisting of >18,000 photographs) to ad agencies, grocery stores, and other trade organizations. Plaintiff asserts a single claim for copyright infringement with respect to Defendant’s alleged unauthorized publication/display of the Work on its website. Defendant is a vacation home rental agency with more than 4,000 listings on Cape Cod, Martha’s Vineyard, and Nantucket. Defendant advertises/markets its business primarily through its website, social media, and other forms of advertising. On April 11, 2016, Defendant published the Work on its website without authorization from Plaintiff. As there are no facts in dispute and the foregoing unequivocally constitutes copyright infringement, Plaintiff is entitled to

summary judgment.

Respectfully submitted,

Dated: February 27, 2024.

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By: /s/ Lauren M. Hausman
Lauren M. Hausman, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on February 27, 2024, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will electronically serve all counsel of record.

/s/ Lauren M. Hausman
Lauren M. Hausman, Esq.